

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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JEFFREY P. WEINER SUPPLEMENTAL	:	
TRUST, Individually and on Behalf of All Others	:	
Similarly Situated,	:	
	:	No.: 1:16-cv-09572-ALC
Plaintiffs,	:	
v.	:	STIPULATION AND [REDACTED]
	:	SCHEDULING ORDER
RIO TINTO PLC, et al,	:	
	:	
Defendants.	:	
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Lead Plaintiff Puranjay Das ("Plaintiff") and Defendants Guy Elliott ("Elliott") and Sam Walsh ("Walsh"), by and through their undersigned counsel, hereby stipulate as follows:

WHEREAS, on December 12, 2016, Jeffrey P. Weiner Supplemental Trust filed the Complaint (ECF No. 1) naming Rio Tinto plc and Christopher Lynch (the "Rio Tinto defendants") and Tom Albanese, Guy Elliott, and Sam Walsh as defendants in the above-captioned matter.

WHEREAS, on March 16, 2017, the Court issued the Joint Status Report and Scheduling Order ("Scheduling Order") (ECF No. 25), pursuant to which Lead Plaintiff Puranjay Das ("Plaintiff") and the Rio Tinto defendants stipulated and agreed to a schedule for the filing of an amended complaint and of the Rio Tinto defendants' answers or responses to the amended complaint.

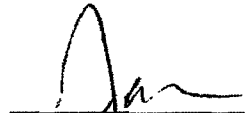
WHEREAS, Defendants Elliott and Walsh have agreed, through counsel, to waive service of process in the above-captioned action;

WHEREAS, Plaintiff and Defendants Elliott and Walsh met and conferred and agree that the individual defendants should adhere to the same briefing schedule as the Rio Tinto defendants;

IT IS HEREBY STIPULATED AND AGREED, by and among the undersigned counsel of record for the parties indicated below, the following:

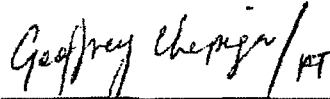
1. Defendants Elliott and Walsh, through their undersigned counsel, will waive service of the Complaint in the above-captioned action.
2. As Plaintiff intends to file an amended complaint, Defendants Elliott and Walsh need not answer or otherwise respond to the December 12, 2016 Complaint.
3. Plaintiffs will file the amended complaint on or before May 30, 2017.
4. Defendants Elliott and Walsh will answer or move to dismiss on or before July 31, 2017.
5. If Defendants Elliott and Walsh move to dismiss, Plaintiff will file opposition papers on or before October 1, 2017.
6. If Plaintiff files opposition papers, Defendants Elliott and Walsh will file reply papers on or before November 1, 2017.
7. Nothing in this stipulation and proposed schedule waives or otherwise limits the individual defendants' rights, defenses, or objections including, without limitation, jurisdictional objections or defenses and those defenses available under Federal Rules of Civil Procedure Rule 12(b), except that Defendants Elliott and Walsh waive any rights, defenses, and objections to service of process in the above-captioned action.

Dated: New York, New York  
May 12, 2017



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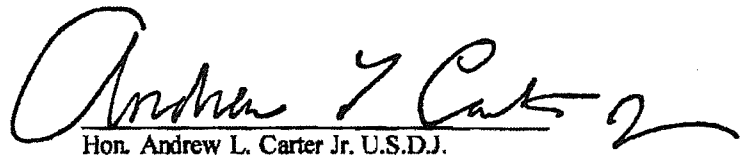


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*Counsel for Defendant Sam Walsh*

Dated: New York, New York  
May 15, 2017

SO ORDERED:

  
Hon. Andrew L. Carter Jr. U.S.D.J. EXC